

LOUISE K. Y. ING 2394
MICHELLE N. COMEAU 9550
ALSTON HUNT FLOYD & ING
1001 Bishop Street, Suite 1800
Honolulu, Hawai'i 96813
Telephone: (808) 524-1800
Facsimile: (808) 524-4591
E-mail: ling@ahfi.com
mcomeau@ahfi.com

CHRISTOPHER D. MICKUS *Admitted pro hac vice*
LEE J. EULGEN *Admitted pro hac vice*
LAWRENCE E. JAMES, JR. *Admitted pro hac vice*
NEAL, GERBER & EISENBERG LLP
2 North LaSalle Street, Suite 1700
Chicago, Illinois 60602
Telephone: (312) 269-8000
Facsimile: (312) 578-2816
E-mail: CMickus@ngelaw.com
LEulgen@ngelaw.com
LJames@ngelaw.com

Attorneys for Plaintiff
THE ISLANDER GROUP, INC

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

THE ISLANDER GROUP, INC.,
Plaintiff,

vs.

SWIMWAYS CORPORATION,
PACIFIC SOUVENIR GROUP, INC.,
dba HAWAII INTERCONTINENTAL
CORPORATION, NICHOLAS
CORISH and GERALD SUR,

Case No. CV13-00094 LEK RLP
(Other Civil Action)

**STIPULATION FOR DISMISSAL
WITH PREJUDICE OF ALL
CLAIMS AND PARTIES AND
ORDER**

Trial: September 3, 2014 (Vacated)
Judge: Hon. Leslie E. Kobayashi

Defendants.

SWIMWAYS CORPORATION,

Counter-Plaintiff,

vs.

THE ISLANDER GROUP, INC.,

Counter-Defendant.

**STIPULATION FOR DISMISSAL WITH PREJUDICE
OF ALL CLAIMS AND PARTIES**

IT IS HEREBY STIPULATED by and between Plaintiff THE ISLANDER GROUP, INC. (“Islander Group”), Defendant SWIMWAYS CORPORATION (“Swimways”), Defendant PACIFIC SOUVENIR GROUP, INC., dba HAWAII INTERCONTINENTAL CORPORATION, Defendant NICHOLAS CORISH, and Defendant GERALD SUR that Islander Group’s Complaint, filed February 27, 2013 (Dkt. No. 1), as amended by the Amended Complaint filed July 23, 2013 (Dkt. No. 68); Swimways’ Counterclaims, filed on February 27, 2013 (Dkt. No. 1) and August 8, 2013 (Dkt. No. 74); and Islander Group’s Counterclaim to Defendant Swimways Corporation’s Counterclaim, filed September 3, 2013 (Dkt. No. 77), are dismissed with prejudice. This Stipulation is made pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure and

Rule 41.1 of the Local Rules of Practice for the United States District Court for the District of Hawai'i.

There are no remaining claims or parties. Each party shall bear its own costs and attorneys' fees. This Stipulation is signed by counsel for all parties that have appeared in this action. Trial was set for September 3, 2014, before the Honorable Leslie E. Kobayashi in this action. This Court shall retain jurisdiction to enforce the settlement agreement in this action.

DATED: Honolulu, Hawai'i, August 14, 2014.

/s/ Michelle N. Comeau

LOUISE K. Y. ING

MICHELLE N. COMEAU

CHRISTOPHER D. MICKUS

LEE J. EULGEN

LAWRENCE E. JAMES, JR.

Attorneys for Plaintiff

THE ISLANDER GROUP, INC.

DATED: Honolulu, Hawai'i, August 14, 2014.

/s/ James C. McWhinnie

JAMES C. McWHINNIE
BETHANY C.K. ACE

JONATHAN L. ORTIZ
WADE J. KATANO
CHRISTINE S. PREPOSE-KAMIHARA

CRAIG L. MYTELKA (*pro hac vice*)

Attorneys for Defendant/Counterclaimant
SWIMWAYS CORPORATION

DATED: Honolulu, Hawai'i, August 14, 2014.

/s/ Randall Y. Yamamoto

RANDALL Y. YAMAMOTO

Attorneys for Defendant
PACIFIC SOUVENIR GROUP, INC. dba
HAWAII INTERCONTINENTAL
CORPORATION

DATED: Honolulu, Hawai'i, August 14, 2014.

/s/ Robert P. Richards

ROBERT P. RICHARDS

Attorney for Defendant
NICHOLAS CORISH

DATED: Honolulu, Hawai'i, August 14, 2014.

/s/ Cary T. Tanaka
CARY T. TANAKA
GREG H. TAKASE
DAWN M. NAKAGAWA

Attorneys for Defendant
GERALD SUR

APPROVED AND SO ORDERED:



/s/ Leslie E. Kobayashi
Leslie E. Kobayashi
United States District Judge

The Islander Group, Inc. v. SwimWays Corporation, et al., Civil No. 13-00094 LEK-RLP;
STIPULATION FOR DISMISSAL WITH PREJUDICE OF ALL CLAIMS AND PARTIES AND
ORDER